

STATE OF SOUTH CAROLINA

(Caption of Case)

Petition of the Office of Regulatory Staff to Establish
Generic Proceeding Pursuant to the Distributed
Energy Resources Programs Act, Act No. 236 of
2014, Ratification No. 241, Senate Bill 1189

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2014 - 246 - E

(Please type or print)

Submitted by: Stephanie U. RobertsSC Bar Number: 80073Address: 110 Oakwood Drive, Suite 500Telephone: 336.725.4710Winston-Salem, NC 27103Fax: 336.725.4476

Other: _____

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigator	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Letter and COS	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		



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ATTORNEYS AT LAW

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July 25, 2014

Via SCPSC E-FILING DMS

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

Re: Petition of the Office of Regulatory Staff to Establish Generic Proceeding Pursuant to the Distributed Energy Resources Programs Act, Act No. 236 of 2014, Ratification No. 241, Senate Bill 1189

Docket No. 2014-246-E

Dear Ms. Boyd:

Please find attached for electronic filing with the Public Service Commission of South Carolina ("Commission") a copy of the Petition to Intervene on behalf of Wal-Mart Stores East, LP, and Sam's East, Inc. (together, "Walmart"), in the above-referenced matter. By copy of this letter, I am serving all parties of record via Electronic Mail and First Class Mail.

Please contact us if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By

Stephanie U. Roberts
(SC Bar No. 80073)

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Counsel to Wal-Mart Stores East, LP, and Sam's East, Inc.

SUR/lhi: 6334558
Attachments
c: Certificate of Service

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West Virginia

North Carolina

Pennsylvania

Virginia

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION
DOCKET NO. 2014-246-E

IN RE: Petition of the Office of Regulatory Staff)	PETITION TO INTERVENE OF
To Establish Proceeding Pursuant to the)	WAL-MART STORES EAST, LP,
Distributed Energy Resources Program Act,)	AND SAM'S EAST, INC.
Act No. 236 of 2014, Ratification No. 241,)	
Senate Bill No. 1189)	

Pursuant to Rule 103-836 and other applicable rules and regulations of the South Carolina Public Service Commission ("Commission"), Wal-Mart Stores East, LP, and Sam's East, Inc. (collectively, "Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. Walmart therefore submits this Petition to Intervene, and in support thereof, Walmart submits as follows:

1. On June 5, 2014, South Carolina Office of Regulatory Staff ("ORS") filed a Petition to Establish Generic Proceeding Pursuant to the Distributed Energy Resource Program Act ("the Act").

2. This Petition to Intervene is timely filed, as this intervention request precedes the Commission's established deadline for intervention of July 31, 2014.

3. Walmart is a national retailer of goods and services throughout the United States. Walmart's principal office is at 2001 SE 10th Street, Bentonville AR 72716-0550. Walmart has the privilege of providing its retail services in the State of South Carolina. In so doing, Walmart is a large commercial consumer of electricity with approximately 75 facilities in South Carolina that are served by South Carolina Electric & Gas Company ("SCE&G"), Duke Energy Carolinas, LLC ("Duke"), and Duke Energy Progress, Inc. ("Progress"). Walmart's facilities include Supercenters, Sam's Clubs, and gas stations. Walmart purchases more than 400 million kWh

annually in South Carolina. Electricity is one of the highest operating costs faced by Walmart. Walmart employs almost 29,000 associates in South Carolina. Additionally, in FYE 2014, Walmart spent over \$940 million with in-state suppliers and supported over 14,000 supplier jobs. Walmart also is committed to fulfilling its aspirational goal of being supplied by 100% renewable energy. Walmart, therefore has an interest in net metering and related standby service issues, parameters, and rates. Thus, Walmart, as a large commercial customer with multiple facilities, has an interest in this matter that is not represented by any other party.

4. Walmart also intervened in the proceeding initiated by the Petition of Office of Regulatory Staff to Establish Dockets to Consider Implementing the Requirements of Section 1251 (Net Metering and Additional Standards) of the Energy Policy Act of 2005 at Docket No. 2005-385-E ("2005 Net Metering case"). Walmart intervened in that case in part because some electric utilities in the state may not currently provide service parameters that capture, for example, the size and capacity of on-site renewable facilities that Walmart could consider, and because questions continue to exist regarding related standby service rates and net metering. See, e.g., Direct Testimony of Steven W. Chriss, p. 13, Docket No. 2013-59-E. In the 2005 Net Metering case, Walmart submitted Comments on September 30, 2013, setting forth these concerns more specifically, including with respect to the divergent treatment of net metering and standby service as between Duke, Progress, and SCE&G.

5. Per the Commission's commencement of this case on the Petition of ORS, this generic proceeding is required to address net metering issues pursuant to Section 58-40-20(F)(4) of the Act, and the Act indicates that all interested parties shall be allowed to participate.

6. Walmart believes that this docket provides an opportunity for the Commission to further address issues that Walmart has raised and continues to have with respect to net metering,

and Walmart further avers that its intervention in that regard would be informative to the Commission and other parties.

7. The attorneys representing Walmart in this proceeding are:

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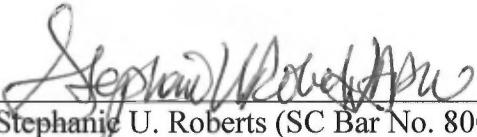
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Ms. Roberts is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Williamson be added jointly to the service list as Walmart anticipates seeking Mr. Williamson's admission to appear before the Commission *pro hac vice* in the near future.

WHEREFORE, Wal-Mart Stores East, LP and Sam's East, Inc., respectfully request that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

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Counsel to Wal-Mart Stores East, LP, and Sam's East, Inc.

Dated: July 25, 2014

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION
DOCKET NO. 2014-246-E

IN RE: Petition of the Office of Regulatory Staff)	
To Establish Proceeding Pursuant to the)	CERTIFICATE OF SERVICE
Distributed Energy Resources Program Act,)	
Act No. 236 of 2014, Ratification No. 241,)	
Senate Bill No. 1189)	

I hereby certify that I have this day served one (1) copy of the foregoing document upon the following parties to this proceeding via Electronic Mail and First Class Mail:

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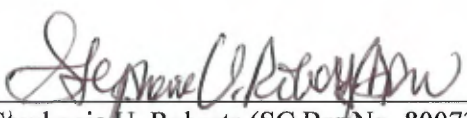
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Dated: July 25, 2014